

Remarks

Claims 1-18 are pending in the instant application. Claims 2-4 and 11-18 are indicated as including allowable subject matter. The other claims are rejected. Claim 7 is directly amended herein.

Allowable Subject Matter

Applicant gratefully acknowledges the finding by the Examiner that Claims 2-4 and 11-18 include allowable subject matter. The Examiner has indicated that these claims would be allowable rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Applicant respectfully declines to make such an amendment at the present time since it is submitted that Claim 1 (from which Claims 2-4 each depend) and Claim 7 (from which Claims 11-18 each depend) are presently in condition for allowance. If the Examiner ultimately does not agree with the arguments set forth below in favor of the allowability of Claims 1 and 7, Applicant would be willing to make the suggested amendment.

Claims 1 and 5-6 rejected under 35 U.S.C. § 103(a) over McQuistian (USPN 6,648,276) in view of Hartung (USPN 4,637,579)

The Examiner has taken the position that McQuistian discloses all of the elements of Claims 1 and 5-6 but does not disclose a point detector connecting rod that is substantially straight and at least partially threaded. The Examiner has additionally taken the position that Hartung provides a teaching of a point detector connecting rod (26) that is substantially straight and at least partially threaded in coupling relationship to a point detector. To the contrary, however, it is respectfully submitted that Hartung does not disclose, teach, or suggest a point detector connecting rod that is substantially straight and at least partially threaded, as has been asserted by the Examiner.

Applicant has provided herewith Exhibit A, which is Fig. 1 of Hartung with some additional markings in red. It is conceded that the connector rod (46) of the detector rod assembly (26) and the lock rod (40) of the lock rod assembly (24) both *appear* in Fig. 1 to be substantially straight in that plane. It is noted that Fig. 1 includes a longitudinal depiction of the connector rod (46) and the lock rod (40), and it is respectfully submitted that such a view, by itself, cannot constitute a teaching that a longitudinal member is substantially straight. It is also noted that Fig. 3 is a view from the same perspective as Fig. 1, except including the lock rod (40)

and other components in enlarged proportion. Applicant has provided herewith Exhibit B, which is Figs. 3 and 4 of Hartung along with supplied red markings. Fig. 4 is a view of the same lock rod (40), but in an orthogonal direction. Fig. 4 clearly shows that the lock rod (40) includes at least a pair of bends formed therein, and such bends are indicated in Fig. 3 through the use of contour lines depicted therein, as is indicated by the red markings in Exhibit B. It is noted that such contour lines in Fig. 3 are not depicted in Fig. 1, likely due to the much smaller depicted size of the lock rod (40) in Fig. 1.

It is submitted that Fig. 1 provides the only depiction of substantially the entirety of the connector rod (46) of the detector connector rod assembly (26) which is urged by the Examiner as being substantially straight and at least partially threaded. Apart from this depiction in Fig. 1, Hartung includes no disclosure, teaching, or suggestion whatsoever that the connector rod (46) of the detector rod assembly (26) is substantially straight. Inasmuch as the plan view of the lock rod (40) of Fig. 3 depicts contour lines that are not depicted in the relatively smaller plan view of Fig. 1, it is submitted that no conclusion regarding the relative straightness of the connector rod (46) of the detector rod assembly (26) can be drawn from its depiction in Fig. 1. It is thus respectfully urged that Fig. 1 of Hartung does not supply a teaching of a point detector connecting rod that is substantially straight.

It is conceded that the connector rod (46) of the detector rod assembly (26) is at least partially threaded, as can be seen in Fig. 6. It is reiterated, however, that the connector rod (46) of the detector rod assembly (26) is not additionally disclosed, taught, or suggested in Hartung as being substantially straight, as is required by Claims 1 and 5-6.

It is noted from Fig. 4 that the pair of bends in the lock rod (40) permit it to pass underneath a rail. The connector rod (46) will similarly need to pass underneath the same rail, but Hartung includes no disclosure, teaching, or suggestion as to how the connector rod (46) is formed to extend underneath the rail.

It is noted in Exhibit B that the lug (38) positions the lock rod (40) at a particular drop-down distance from the lock bar (36). Applicant has provided herewith Exhibit C which is Fig. 6 of Hartung with supplied red markings. Exhibit C demonstrates that the coupling (B) of Fig. 6 provides to the connector rod (46) another drop-down distance from the detector bar (44). The drop-down distance depicted in Fig. 6 regarding the connector rod (46) can be seen to be substantially smaller than the drop-down distance provided in Fig. 4 regarding the lock rod (40).

Inasmuch as the lock rod (40) and the connector rod (46) both must pass underneath the same rail, and since the connector rod (46) is provided only a relatively small drop-down distance (Exhibit C) when compared with the drop-down distance provided to the lock rod (40) (Exhibit B), the connector rod (46) is likely to have bends that are even *greater* in size than the bends in the lock rod (40) shown in Fig. 4.

It is concluded, therefore, that Hartung includes no disclosure, teaching, or suggestion that the connector rod (46) thereof is "substantially straight", and that the other teachings of Hartung would strongly suggest that the connector rod (46) rather is bent to enable it to pass underneath a rail. It is thus submitted that Hartung does not disclose, teach, or suggest the limitation of a point detector connecting rod that is substantially straight, as is required by Claims 1 and 5-6. Inasmuch as the references fail to disclose all of the elements of Claims 1 and 5-6, it is submitted that the rejection of Claims 1 and 5-6 on the ground of obviousness over McQuistian in view of Hartung has been successfully overcome. Withdrawal of the rejection is earnestly solicited.

Claims 7-10 Rejected under 35 U.S.C. § 103(a) over McQuistian in view of Hartung and Schwiede (US 20020060273 A1)

The Examiner has again taken the position that Hartung discloses a detector rod assembly (26) having a connector rod (46) that is substantially straight and at least partially threaded. As set forth above regarding the rejection of Claims 1 and 5-6, it is respectfully reiterated that Hartung includes no disclosure, teaching, or suggestion of a connector rod (46) that is substantially straight. While the connector rod (46) *appears* from the perspective of Fig. 1 to be substantially straight, it is noted that the connector rod (46) must pass underneath a rail for connection with other structures, and known bends in the lock rod (40) that are depicted in Figs. 3 and 4 of Hartung are not similarly depicted in Fig. 1. It is thus submitted that Hartung fails to disclose, teach, or suggest a point detector connecting rod that is substantially straight.

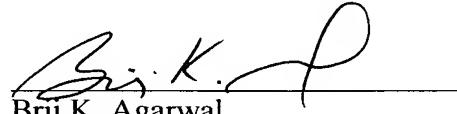
Since the references, whether considered individually or in combination, fail to disclose, teach, or suggest all of the elements of Claim 7 and, by dependence, Claims 8-10, the rejection of Claims 7-10 on the ground of obviousness is respectfully submitted to have been overcome. Withdrawal of the rejection is earnestly solicited.

It is noted that Claim 7 has been amended to delete certain wording to avoid a potential indefiniteness objection. Such amendment to Claim 7 is unrelated to the rejections presented in the instant Office Action.

Conclusion

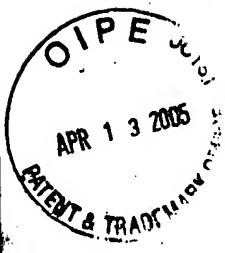
For the foregoing reasons, Claims 1-18 are submitted to be presently in condition for allowance. A Notice of Allowance as to Claims 1-18 is thus earnestly solicited. If any matters remain unresolved, a telephone call to the undersigned would be welcomed.

Respectfully submitted,



Brij K. Agarwal
Registration No. 43,507
Eckert Seamans Cherin & Mellott, LLC
600 Grant Street, 44th Floor
Pittsburgh, PA 15219
Attorney for Applicant

Phone: 412-566-6183
Fax: 412-566-6099



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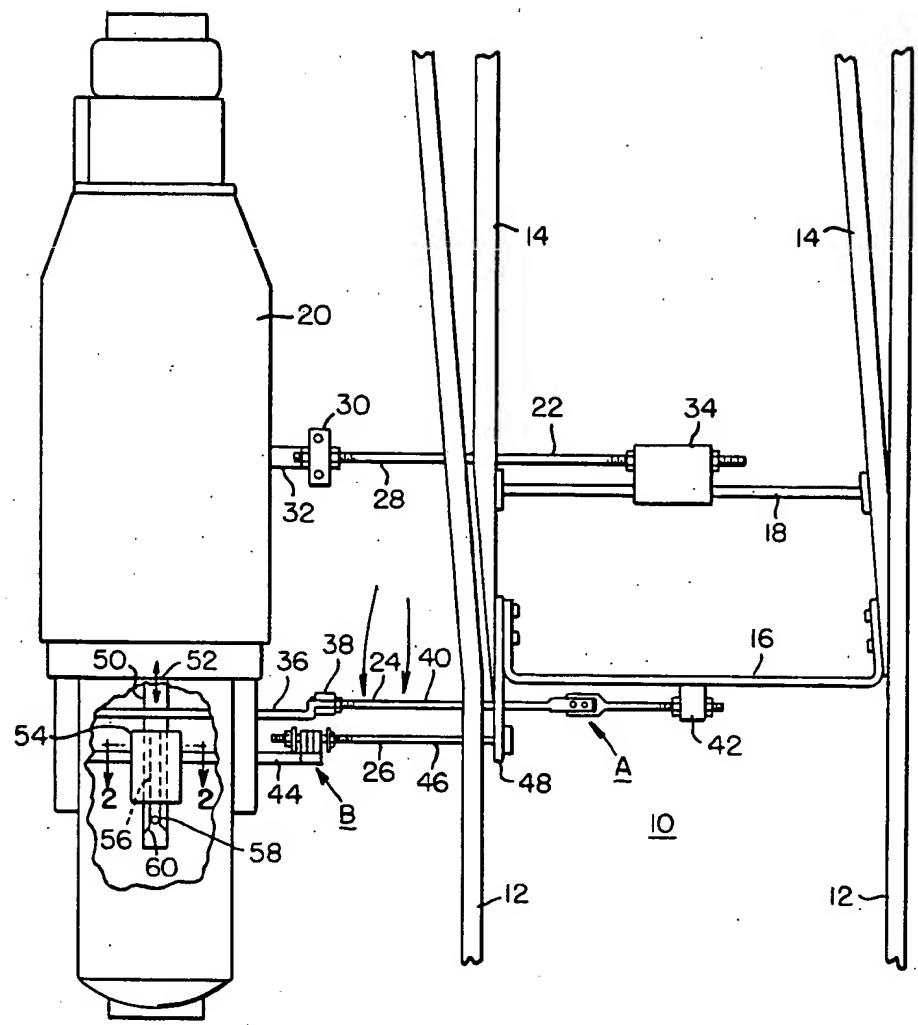


FIG. 1

Exhibit A

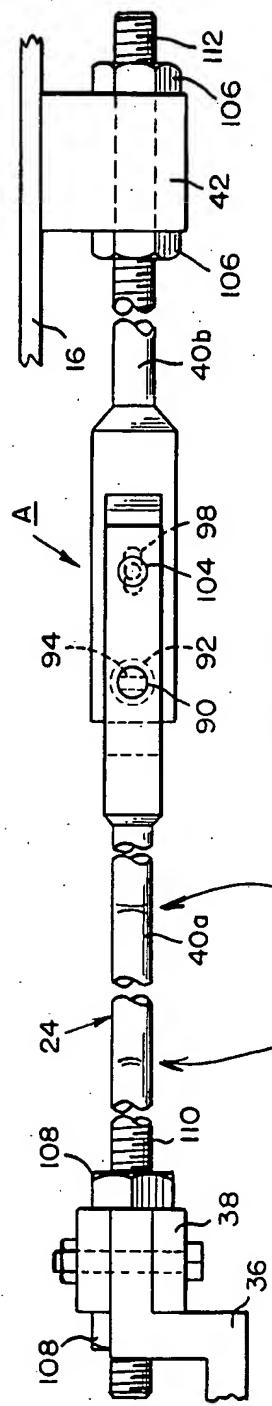


FIG. 3

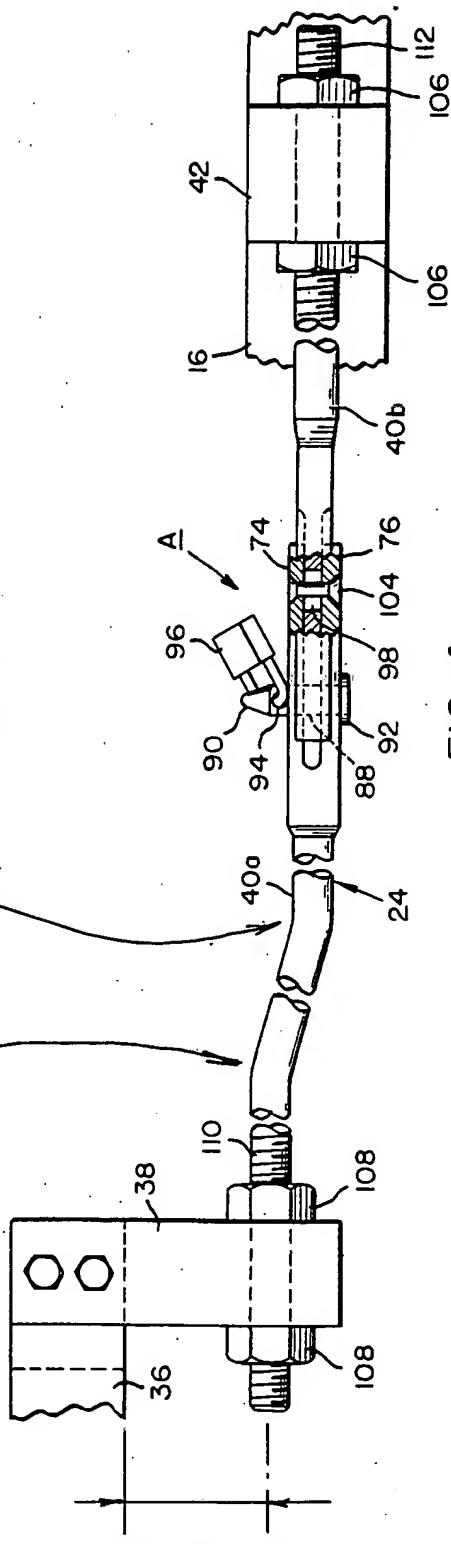


FIG. 4

Exhibit B

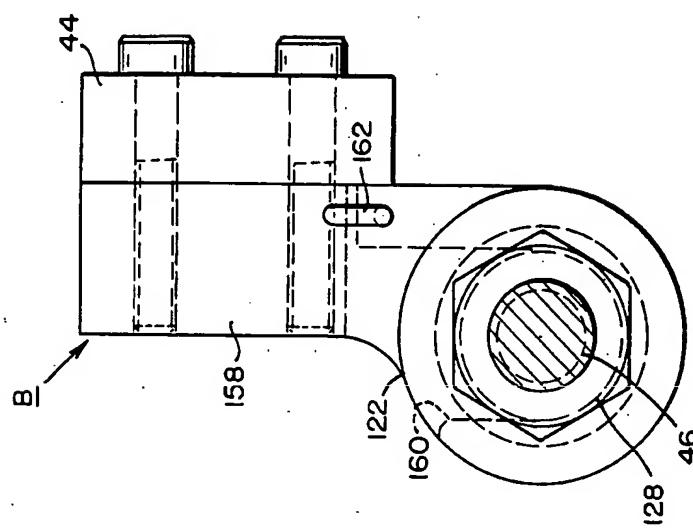


FIG. 7

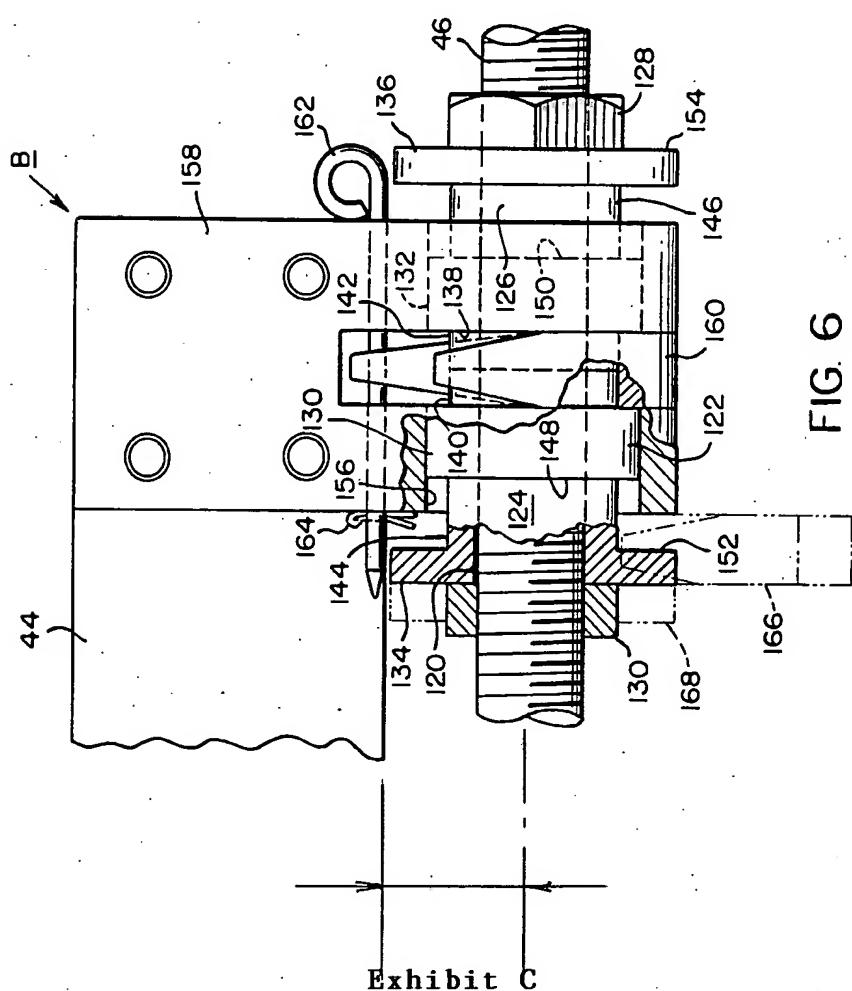


FIG. 6

Exhibit C